

By: Dale

H.B. No. 581

A BILL TO BE ENTITLED

AN ACT

relating to the issuance of, eligibility for, and use of limited term personal identification certificates and driver's licenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 32.111(c), Election Code, is amended to read as follows:

(c) The training standards adopted under Subsection (a) must:

(1) include provisions on the acceptance and handling of the identification presented by a voter to an election officer under Section 63.001;

(2) detail the types of driver's licenses and personal identification cards that are acceptable forms of identification under Section 63.0101; and

(3) require that training materials include a photograph of a limited term driver's license and personal identification card issued under Subchapter L-1, Chapter 521, Transportation Code.

SECTION 2. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is an acceptable form of photo identification under this chapter:

(1) a driver's license, election identification

1 certificate, or personal identification card, other than a limited
2 term driver's license or personal identification card issued under
3 Subchapter L-1, Chapter 521, Transportation Code, issued to the
4 person by the Department of Public Safety that has not expired or
5 that expired no earlier than 60 days before the date of
6 presentation;

7 (2) a United States military identification card that
8 contains the person's photograph that has not expired or that
9 expired no earlier than 60 days before the date of presentation;

10 (3) a United States citizenship certificate issued to
11 the person that contains the person's photograph;

12 (4) a United States passport issued to the person that
13 has not expired or that expired no earlier than 60 days before the
14 date of presentation; or

15 (5) a license to carry a handgun issued to the person
16 by the Department of Public Safety that has not expired or that
17 expired no earlier than 60 days before the date of presentation.

18 SECTION 3. Section 521.101(f), Transportation Code, is
19 amended to read as follows:

20 (f) A personal identification certificate:

21 (1) for an applicant who is a citizen, national, or
22 legal permanent resident of the United States [~~or a refugee or~~
23 ~~asylee lawfully admitted into the United States~~], expires on a date
24 specified by the department; or

25 (2) for an applicant not described by Subdivision (1),
26 expires on:

27 (A) the earlier of:

1 (i) a date specified by the department; or
2 (ii) the expiration date of the applicant's
3 authorized stay in the United States; or

4 (B) the first anniversary of the date of
5 issuance, if there is no definite expiration date for the
6 applicant's authorized stay in the United States.

7 SECTION 4. Chapter 521, Transportation Code, is amended by
8 adding Subchapter L-1 to read as follows:

9 SUBCHAPTER L-1. LIMITED TERM DRIVER'S LICENSES AND PERSONAL
10 IDENTIFICATION CERTIFICATES

11 Sec. 521.261. DEFINITIONS. In this subchapter:

12 (1) "Limited term driver's license" means a driver's
13 license issued by the department with an expiration date set under
14 Section 521.271(a-2), (a-3), or (a-4), 521.2711(c), or
15 521.272(c)(2).

16 (2) "Limited term personal identification
17 certificate" means a personal identification certificate issued by
18 the department with an expiration date set under Section
19 521.101(f)(2).

20 Sec. 521.262. APPEARANCE. (a) The department shall:

21 (1) adopt rules regarding the design and content of a
22 limited term driver's license and personal identification
23 certificate;

24 (2) designate and clearly mark the license or
25 certificate as a limited term license or certificate; and

26 (3) orient the information on and design the color of a
27 limited term license and certificate to clearly distinguish limited

term licenses and certificates from other licenses and certificates issued under this chapter.

(b) The department shall include the following statements on each limited term driver's license: "This license is not acceptable for official federal purposes. This license is issued only as a license to drive a motor vehicle. This license does not establish eligibility for employment, voter registration, or public benefits."

(c) The department shall include the following statements on each limited term personal identification certificate: "This certificate is not acceptable for official federal purposes. This certificate does not establish eligibility for employment, voter registration, or public benefits."

Sec. 521.263. APPLICATION. (a) In addition to the requirements of Section 521.142, an application for a limited term driver's license or personal identification certificate must include a complete set of thumbprints and fingerprints.

(b) For the purposes of complying with the requirements of Sections 521.101, 521.142, and 521.1425 that an applicant provide documentation that authorizes the applicant to be in the United States, an applicant for a limited term driver's license or personal identification certificate may not use as proof of the applicant's residency status or lawful status:

(1) an employment authorization document issued through the federal Deferred Action for Childhood Arrivals program; or

(2) a reentry permit.

1 Sec. 521.264. EVIDENCE OF FINANCIAL RESPONSIBILITY. An
2 applicant for a limited term driver's license that provides
3 evidence of financial responsibility to comply with Section 521.143
4 must establish financial responsibility through a motor vehicle
5 liability insurance policy that:

- 6 (1) complies with Chapter 601; and
7 (2) is prepaid and valid for at least a six-month
8 period after the date the person submits the application.

9 Sec. 521.265. ADMINISTRATION. The department is not
10 required to issue limited term driver's licenses and personal
11 identification certificates at all driver's license offices. The
12 department may designate driver's license offices to issue limited
13 term driver's licenses and personal identification certificates.

14 SECTION 5. Section 521.271, Transportation Code, is amended
15 to read as follows:

16 Sec. 521.271. LICENSE EXPIRATION. (a) Each original
17 driver's license, provisional license, instruction permit, or
18 occupational driver's license issued to an applicant who is a
19 citizen, national, or legal permanent resident of the United States
20 ~~[or a refugee or asylee lawfully admitted into the United States]~~
21 expires as follows:

22 (1) except as provided by Section 521.2711, a driver's
23 license expires on the first birthday of the license holder
24 occurring after the sixth anniversary of the date of the
25 application;

26 (2) a provisional license expires on the 18th
27 birthday of the license holder;

1 (3) an instruction permit expires on the 18th birthday
2 of the license holder;

3 (4) an occupational driver's license expires on the
4 first anniversary of the court order granting the license; and

5 (5) unless an earlier date is otherwise provided, a
6 driver's license issued to a person whose residence or domicile is a
7 correctional facility or a parole facility expires on the first
8 birthday of the license holder occurring after the first
9 anniversary of the date of issuance.

10 (a-2) Each original driver's license issued to an applicant
11 who is not a citizen, national, or legal permanent resident of the
12 United States ~~[or a refugee or asylee lawfully admitted into the~~
13 ~~United States]~~ expires on:

14 (1) the earlier of:

15 (A) the first birthday of the license holder
16 occurring after the sixth anniversary of the date of the
17 application; or

18 (B) the expiration date of the license holder's
19 lawful presence in the United States as determined by the
20 appropriate United States agency in compliance with federal law; or

21 (2) the first anniversary of the date of issuance, if
22 there is no definite expiration date for the applicant's authorized
23 stay in the United States.

24 (a-3) Each original provisional license or instruction
25 permit issued to an applicant who is not a citizen, national, or
26 legal permanent resident of the United States ~~[or a refugee or~~
27 ~~asylee lawfully admitted into the United States]~~ expires on the

1 earliest of:

2 (1) the 18th birthday of the license holder;

3 (2) the first birthday of the license holder occurring
4 after the date of the application; or

5 (3) the expiration of the license holder's lawful
6 presence in the United States as determined by the United States
7 agency responsible for citizenship and immigration in compliance
8 with federal law.

9 (a-4) Each original occupational driver's license issued to
10 an applicant who is not a citizen, national, or legal permanent
11 resident of the United States ~~[or a refugee or asylee lawfully~~
12 ~~admitted into the United States]~~ expires on the earlier of:

13 (1) the first anniversary of the date of issuance; or

14 (2) the expiration of the license holder's lawful
15 presence in the United States as determined by the appropriate
16 United States agency in compliance with federal law.

17 (b) Except as provided by Section [521.2711](#), a driver's
18 license that is renewed expires on the earlier of:

19 (1) the sixth anniversary of the expiration date
20 before renewal if the applicant is a citizen, national, or legal
21 permanent resident of the United States ~~[or a refugee or asylee~~
22 ~~lawfully admitted into the United States]~~;

23 (1-a) for an applicant not described by Subdivision
24 (1):

25 (A) the earlier of:

26 (i) the sixth anniversary of the expiration
27 date before renewal; or

(ii) the expiration date of the applicant's authorized stay in the United States; or

(B) the first anniversary of the date of issuance, if there is no definite expiration date for the applicant's authorized stay in the United States; or

(2) for a renewal driver's license issued to a person whose residence or domicile is a correctional facility or a parole facility, the first birthday of the license holder occurring after the first anniversary of the date of issuance unless an earlier date is otherwise provided.

SECTION 6. Section 521.2711(c), Transportation Code, is amended to read as follows:

(c) Notwithstanding Subsections (a) and (b), an original or renewal driver's license issued to an applicant who is 85 years of age or older and not a citizen, national, or legal permanent resident of the United States ~~[or a refugee or asylee lawfully admitted into the United States]~~ expires on:

(1) the earlier of:

(A) the second anniversary of the expiration date before renewal; or

(B) the expiration date of the applicant's authorized stay in the United States; or

(2) the first anniversary of the date of issuance if there is no definite expiration date for the applicant's authorized stay in the United States.

SECTION 7. Section 521.272(c), Transportation Code, is amended to read as follows:

1 (c) Notwithstanding Sections 521.271 and 521.2711, a
2 driver's license issued under this section, including a renewal,
3 duplicate, or corrected license, expires:

4 (1) if the license holder is a citizen, national, or
5 legal permanent resident of the United States [~~or a refugee or~~
6 ~~asylee lawfully admitted into the United States~~], on the first
7 birthday of the license holder occurring after the date of
8 application, except that the initial license issued under this
9 section expires on the second birthday of the license holder
10 occurring after the date of application; or

11 (2) if the applicant is not described by Subdivision
12 (1), on the earlier of:

13 (A) the expiration date of the applicant's
14 authorized stay in the United States; or

15 (B) the first birthday of the license holder
16 occurring after the date of application, except that the initial
17 license issued under this section expires on the second birthday of
18 the license holder occurring after the date of application.

19 SECTION 8. Section 521.421(a-3), Transportation Code, is
20 amended to read as follows:

21 (a-3) Except as provided by Subsections (a-1) and (a-2), the
22 fee for a driver's license or personal identification certificate
23 that is issued to a person who is not a citizen, national, or legal
24 permanent resident of the United States [~~or a refugee or asylee~~
25 ~~lawfully admitted into the United States~~] and that is valid for not
26 more than one year is \$24.

27 SECTION 9. The changes in law made by this Act to Sections

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1 521.101, 521.271, 521.2711, 521.272, and 521.421, Transportation
2 Code, apply only to a driver's license or personal identification
3 certificate issued or renewed on or after the effective date of this
4 Act. A driver's license or personal identification certificate
5 issued or renewed before the effective date of this Act is governed
6 by the law in effect when the license or certificate was issued or
7 renewed, and the former law is continued in effect for that purpose.

8 SECTION 10. This Act takes effect September 1, 2017.